

REMARKS

Amendment to the drawing

FIG. 1 has been amended to include reference character 6a as disclosed in the specification at page 4, line 23.

Pending Claims

Claims 1 to 3 and 7 are pending. Claim 1 has been amended and support for the amendment to claim 1 can be found throughout the specification and drawings.

Rejections Under 35 U.S.C. § 103

Claims 1 and 7 have been rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,302,860 B1 to Gremel et al. (Gremel) in view of U.S. Patent No. 3,256,883 to De Wall. Applicants respectfully traverse this rejection but in order to advance prosecution claim 1 has been amended.

Claim 1 has been amended to recite that the blood pump has an inlet “connected to receive venous blood and an outlet positioned at a top of the blood pump”. Gremel in view of De Wall neither teaches nor suggests that the blood pump has an inlet “connected to receive venous blood and an outlet positioned at a top of the blood pump”. Therefore Applicants respectfully request that the rejection of claim 1 be withdrawn. Claim 7 depends from claim 1 and thus adds further limitations to claim 1. Therefore, Applicants believe claim 7 is also allowable and respectfully request that the Examiner withdraw the rejection of claim 7.

Claims 2 and 3 have been rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,302,860 B1 to Gremel et al. (Gremel) in view

of U.S. Patent No. 3,256,883 to De Wall in further view of U.S. Patent No. 5,924,848 to Israelev.

Claims 2 and 3 depend from claim 1 and thus add further limitations to claim 1 which Applicants believe to be allowable for at least the reasons stated above. Therefore, Applicants believe claims 2 and 3 are also allowable and respectfully request that the Examiner withdraw the rejection of claims 2 and 3.

Conclusion

In view of Applicants' amendments and remarks, the claims are believed to be in condition for allowance. Reconsideration, withdrawal of the rejections, and passage of the case to issue are respectfully requested.

If any additional fees are due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 16-2312. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

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